

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, NOVEMBER 20, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District

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The meeting was called to order at 8:23 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION'S PERSONNEL AND BUDGET COMMITTEE MEMBERS CERTIFY THAT, TO THE BEST OF THEIR KNOWLEDGE, ONLY THE PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM THE OPEN MEETING REQUIREMENTS PROSCRIBED BY THE VIRGINIA FREEDOM OF INFORMATION ACT AND ONLY THE MATTERS PREVIOUSLY IDENTIFIED IN THE MOTION TO CONVENE THE CLOSED MEETING, WERE HEARD, DISCUSSED OR CONSIDERED BY THE PERSONNEL AND BUDGET COMMITTEE DURING THE SESSION.

Commissioner Byers seconded the motion which carried unanimously by only the following members in attendance: Commissioners Byers, de la Fe, Murphy and Smyth.

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Commissioner Smyth announced that Commissioners Hall, Murphy and Wilson had been reappointed by the Board of Supervisors on Monday, November 18, 2002, for additional four-year terms.

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Commissioner Koch, at the request of the applicant, MOVED TO (FURTHER) DEFER DECISION ONLY ON S02-III-BR1, OUT-OF-TURN PLAN AMENDMENT, TO DECEMBER 4, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioner Hall absent from the meeting.

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Commissioner Harsel MOVED RZ/FDP-2002-BR-017, EASTWOOD PROPERTIES, INC., TO A DATE CERTAIN OF DECEMBER 11, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Hall absent from the meeting.

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Commissioner Murphy MOVED THE PLANNING COMMISSION DEFER RZ/FDP-2002-SP-006, ZIA U. HUSSAN, TO A DATE CERTAIN OF MARCH 26, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Hall absent from the meeting.

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Commissioner DuBois MOVED TO FURTHER DEFER DECISION ONLY ON SE-2002-DR-012, BETTY MEADOWS, TO A DATE CERTAIN OF DECEMBER 4, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Hall absent from the meeting.

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Commissioner DuBois MOVED THAT THE PUBLIC HEARING ON SE-2002-DR-026 AND 2232-D02-19, WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY, BE DEFERRED TO A DATE CERTAIN OF DECEMBER 12, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Hall absent from the meeting.

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Commissioner de la Fe announced his intention to further defer the public hearing on APR-97-III-9UP and APR-97-III-47UP from December 5, 2002 to January 9, 2003.

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Commissioner Koch MOVED TO DEFER THE PUBLIC HEARING ON FDPA-78-C-118-13, AT&T WIRELESS, TO JANUARY 8, 2003.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Hall absent from the meeting.

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Commissioner Wilson MOVED THAT WE (FURTHER) DEFER THE DECISION ONLY ON RZ-2002-LE-005, SUSAN WISE CLAY, TO A DATE CERTAIN OF NOVEMBER 21, 2002.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Kelso not present for the vote; Commissioner Hall absent from the meeting.

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Ms. Barbara Lipa, Executive Director of the Planning Commission, introduced Ms. Laura Espiritu, who recently joined the Planning Commission Office staff as a Management Analyst II.

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ORDER OF THE AGENDA

Chairman Murphy noted there was only one public hearing on the agenda:

1. RZ-2002-PR-016/FDP-2002-PR-016 - WEST GROUP PROPERTIES LLC
PCA-88-D-005-5 - WEST*GROUP, WEST*MAC, GANNETT, & MANUFACTURING

This was accepted without objection.

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RZ-2002-PR-016/FDP-2002-PR-016 - WEST GROUP PROPERTIES LLC - Appls. to rezone from C-3 to PRM to permit residential development with secondary commercial uses at an overall Floor Area Ratio (FAR) of 3.0 and approval of the conceptual and final development plans. Located in the N.W. quadrant of the intersection of Westpark Dr. and Park Run Dr. on approx. 13.55 ac. of land. Comp. Plan Rec: Office with mixed use option. Tax Map 29-4 ((7)) A3. (Concurrent with PCA 88-D-005-5). PROVIDENCE DISTRICT.

PCA-88-D-005-5 - WEST*GROUP PROPERTIES LLC, WEST*MAC ASSOCIATES L.P., GANNETT CO., INC., AND THE ASSOCIATION FOR MANUFACTURING TECHNOLOGY - Appl. to amend the proffers for RZ-88-D-005 previously approved for office development at an overall Floor Area Ratio (FAR) of 0.58 to permit deletion of land area. Located S. of the Dulles Airport Access Rd., W. of I-495, E. of International Dr. and N. of Tysons Blvd. on approx. 189.49 ac. of land zoned C-3, HC and SC. Comp. Plan Rec: Office and private open space. Tax Map 29-2 ((15)) A6, A7, A8, B1, B2, 4B2; 29-4 ((7)) A3, A4, A5, C1, C2, 1, 1A1, 1A2, 2, 3, 4, 5A, 6, 7A1, 7B, 8, 9, 10, 11A. (Concurrent with RZ/FDP 2002-PR-016.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Mr. Thomas Fleury, representing the applicants, reaffirmed the affidavit dated October 18, 2002. There were no disclosures by Commission members.

Ms. Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Mr. Fleury spoke about the need for residential development in the Tysons area. He noted that the applicant proposed high quality townhouses, condominiums and rental apartments. He added that the proposal was in compliance with the Comprehensive Plan and included a generous proffer package.

In response to questions from Commissioner Harsel, Mr. Fleury stated there would be a maximum of 1354 residential units resulting in a .30 floor area ratio (FAR).

In response to an inquiry from Commissioner Smyth, Mr. Fleury displayed photographs of the subject property from several angles and spoke about the topography of the area.

Mr. Fleury responded to questions from Commissioner Kelso regarding the applicant's proposal for affordable dwelling units (ADUs) and schools; and from Commissioner Smyth regarding the Housing Trust Fund. Commissioner Smyth commented on the difficulty of getting accurate information from the Fairfax County Public Schools (FCPS) Planning Office.

In response to questions from Commissioner Byers, Mr. Fleury explained that the scholarship fund offered in Proffer 20C would be for college-bound students graduating from George Marshall High School.

Mr. Fleury commented on the school issue and the problems encountered trying to obtain exact figures from FCPS staff, noting that the issue was complicated by upcoming boundary change proposals.

Commissioners Kelso, Harsel, Moon, Smyth, and Murphy further discussed the school issue. Commissioner Murphy commented that the new development criteria would be effective in January and that it would be more important than ever to have accurate information from all agencies regarding public facilities.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Mr. Joseph Henderson, with Alder Branch Management, 1063 Thomas Jefferson Street, NW, Washington, DC, spoke on behalf of approximately 750 residents of The Lincoln at Tysons, an adjacent condominium development. He opposed the applications, citing excessive density, inadequate buffering, and environmental impact as his major concerns. (A copy of Mr. Henderson's presentation is in the date file.)

Mr. David King, an architect with Smith Group, 1825 Eye Street, NW, Washington, DC, supported the applications. He expressed his concern, however, for the design proposed and suggested that more transition in building heights was needed.

Commissioner Smyth noted that the building closest to the subject property, and therefore the most affected, was part of the condominium project called The Fountains and the attorney representing those homeowners had no objections to the applicant's proposal.

In response to questions from Commissioner Smyth, Ms. Lewis stated that the maximum planned height at The Lincoln was 105 feet; at The Avalon, 150 feet; and at the Rotunda, 105 feet. Commissioner Smyth quoted the Comprehensive Plan reference regarding building heights in Tysons Corner.

In response to a question from Commissioner Kelso, Mr. King explained that he was working with Mr. Henderson on behalf of The Lincoln residents.

Ms. Adrian Whyte, 6704 West Falls Way, Falls Church, representing the McLean Citizens Association, expressed her dismay at the lack of accurate information from FCPS staff. She requested a deferral until this issue was resolved.

Mr. Charles O'Donnell, 8803 Maradore Place, McLean, representing the Lewinsville Coalition, also commented on the schools issue. He agreed with Ms. Whyte that more time was needed to review these applications.

Mr. O'Donnell responded to questions from Commissioner Smyth regarding his position. He reiterated that further review was necessary.

In response to questions from Commissioner Murphy, Ms. Lewis stated that the boundary changes being considered by the School Board would not be subject to public hearings.

In response to questions from Commissioner Harsel, Mr. Fleury said a 7- to 9-year construction schedule was anticipated, with ground-breaking in 2004. He added that the ADUs would be exactly the same as the market rate units, but rent would be determined by the formula outlined in the ADU Ordinance.

In response to questions from Commissioners Kelso, Harsel and Moon, Ms. Lewis explained the process she followed to request school information. She stated that she had received the most recent memo at 4:00 p.m. this evening and had not requested that Schools staff attend tonight's meeting.

Ms. Susan Turner, 1210 Daviswood Drive, McLean, commented on the school issue. She suggested that the applicant was trying to get this application approved before the January deadline when the new development criteria became effective.

Commissioners Murphy, Smyth, Wilson and de la Fe discussed how this application would be affected by the new criteria.

Ms. Julie Dallen, 9808 Spring Ridge Lane, Vienna, representing the Westbriar Elementary School PTA, was not opposed to the applicant's proposal, but felt that more information regarding exactly which schools would be impacted should be obtained before a decision was made.

Ms. Dallen responded to questions from Commissioners Wilson and Byers regarding her position.

Commissioners DuBois, Kelso, and Smyth discussed the lack of information from FCPS staff.

In response to questions from Commissioner Harsel, Ms. Lewis stated that this application was the first request for residential uses in the Tysons area in recent years.

Ms. Sridevi Nanjundaram, 1530 Lincoln Way, Unit 301, McLean, complained that she did not receive notification of the applicant's intentions and concurred with other speakers who suggested deferral of the decision on this case.

Chairman Murphy explained how the notification process worked. Commissioner Smyth noted that the condominium owners association of Ms. Nanjandaram's building had been notified and it was their responsibility to inform individual residents.

There were no further speakers, therefore Chairman Murphy called upon Mr. Fleury for a rebuttal statement.

Mr. Fleury explained the applicant's efforts to work with adjacent residential groups, especially regarding use of an existing stormwater management pond. He commented on the negotiations in progress for retail tenants; the plans for reforestation of an open space area to be dedicated to the Park Authority; and the possible movement of Building 4 to provide additional buffer to adjacent uses. He pointed out the proffers detailing the size and location of retaining walls and expressed his surprise that Mr. King was representing Smith Group on behalf of Alder Branch Management since the applicant had a contract with Smith Group for a study of an office building in the Northrop-Grumman complex. Mr. Fleury declined to comment further on the schools issue.

In response to questions from Commissioner Koch, Mr. Fleury explained that the proffers had recently been revised to remove the name of a specific elementary school, and that the middle school and high school in the affected pyramid would be the same regardless of which elementary school was determined to be the appropriate one for the new residents of this project.

In response to questions from Commissioner Murphy, Mr. Fleury confirmed that the entire school proffer totaled \$200,000.

Mr. Fleury responded to questions from Commissioner Harsel regarding the other public facilities to be provided by the applicant, including meeting space, parkland, and ADUs; and from Commissioner DuBois about the college scholarship proposed for Marshall High School.

In response to questions from Commissioner Wilson, Mr. Fleury said he did not know why the last sentence of the standard temporary sign proffer had been omitted.

There being no further comments or questions from the Commission and Ms. Lewis having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on these applications. (A verbatim transcript is in the date file.)

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Commissioner Smyth MOVED THAT WE DEFER DECISION ONLY ON RZ-2002-PR-016, FDP-2002-PR-016, AND PCA-88-D-005-5 TO A DATE CERTAIN OF NOVEMBER 21, 2002, WITH THE RECORD TO REMAIN OPEN.

Commissioner Wilson seconded the motion which carried by a vote of 9-1 with Commissioner DuBois opposed; Commissioner Alcorn not present for the vote; Commissioner Hall absent from the meeting.

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ADJOURNMENT

November 20, 2002

The meeting was adjourned at 10:30 p.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: September 9, 2004

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission